

US DISTRICT COURT
DISTRICT OF DELAWARE

IN RE KASER

02-1042

RECEIVED

MAY - 2 2006

DUNCAN J. McNEIL, III

mc-06-41

CV-05-574

CV-06-178

v.

KASER

NOTICE OF COLLATERAL
#FOR DIRECT ATTACK ON:
① 05-574, ORDER AT
2 (D. DEL. 8/22/05; AND
② 05-574, ORDER AT
6 (D. DEL. 2/7/06) (WHICH
APPELLANT WAS NEVER
SERVED WITH); AND ③
ALL OTHER ORDERS
THAT THESE ORDERS
ARE BASED UPON

MOTION FOR EXTENSION OF
TIME AND DUE PROCESS
TO OBTAIN RELIEF FROM
ORDERS OF 4/18/06
AND 4/24/06; MOTIONS
FOR RELIEF FROM ORDERS
AND TO MODIFY OR
CORRECT FINDINGS
PURSUANT TO FRCP
52, 59 & 60

APPELLANT BEING SERVED UPON CATH HENRY DECLARES:
THE APPELLANT AND JUDGMENT CREDITOR
HENRY SEeks AND EXTENSION OF TIME
AND DUE PROCESS, BRIEFING SCHEDULE,
ACCESS TO COURT RECORDS, NOTICE AND
OPPORTUNITY TO BE HEARD, IN ORDER
TO OBTAIN RELIEF FROM:
1. 4/18/06 ORDER IN 05-574, DOCKET#
4/19/06 AS D.I. #21
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2. 4/18/06 ~~order~~, ~~DEC~~ 06-41, DOCKETED
4/19/06 AS D.I. # 23;

3. 4/24/06 ~~order~~, 06-41.

THESE ~~ORDERS~~ ARE BASED UPON
THE MANIFEST ERROR OF BOTH
FACT & LAW THAT:

1. APPELLANT HAS A "HISTORY OF
FILING FRIVOLOUS CLAIMS";

2. APPELLANT HAS 3 -
COUNTABLE "STRAKES" PURSUANT
TO 28 USC § 1915(9);

3. APPELLANT HAS BEEN
"DEEMED A VEXATIOUS LITIGANT" BY
THREE OTHER COURTS"; ~~AND~~

4. THAT THE 3-STRAKES
PROVISION OF 28 USC § 1915(9) IS
APPLICABLE TO APPELLANT IN
THIS ACTION; AND

5. THAT THERE IS AN "EXPEDIATED
NATURE OF THE UNDERLYING

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PROCEEDINGS.

APPELLANT BRINGS THE MOTION TO: ① CORRECT MANIFEST ERRORS OF FACT AND LAW BY THIS COURT; ② TO ENFORCE THE APPELLANT'S FUNDAMENTAL CONSTITUTIONAL INTERESTS IN THIS ACTION; AND ③ TO OBTAIN DUE PROCESS OF LAW, BY WAY OF A COLLATERAL ^{ERRONEOUS} AND/OR DIRECT ATTACK ON, SUA SPONTE, EX PARTE ORDERS OF THIS COURT, AND THE "VOID AB INITIO", MANIFESTLY ERRONEOUSLY FOREIGN ORDERS THAT THIS COURT RELIES UPON.

~~THE~~ IN AN AVAUNCHED OF SUA SPONTE EX PARTE ORDERS, WHICH VICINATE THE APPELLANT'S DUE PROCESS RIGHTS, THIS COURT HAS VACATED ITS OWN

PROPER ORDERS, DECLARING THEM
 ERRONEOUS OR MISTAKEN
 (DECLARING "THE COURT WAS ERRONEOUSLY
 INFORMED BY THE BANKRUPTCY COURT...")
 AND HAS NOW SET AN ARBITRARY
 AND CAPRICIOUS DEADLINE OF
 3 COURT DAYS, FOR THE
 INDIGENT DISABLED AND
 UNCAUTIONFULLY INCARCERATED TO
 COMPLY WITH THE COURT'S MANIFESTLY
 ERRONEOUS ORDER OF 4/24/06, IN
 MC-06-41.

APPELLANT ASSERTS THERE IS
NO BASIS FOR AN "EXPEDITED
 NATURE OF THE UNDERLYING
 PROCEEDING" AS TO THE
 APPELLANT'S APPEAL. WHILE
 THE COURT HAS FOUND THIS AS TO
 THE "INSURANCE" APPEALS, WHICH
 THE COURT HAS "LUMPED" OR

or "FORCED" THE APPELLANT WOULD
 (w/o due process), THERE IS NO
 BASIS TO LINK THIS APPELLANT'S
 APPEAR TO THE "INSURANCE"
 APPEARS. APPELLANT'S DUE
 PROCESS RIGHTS, MUST BE
 PROTECTED BY THIS COURT, BY
 SEVERING THIS APPEAR
 FROM THE INSURANCE APPEARS.

APPELLANT INSULTS THIS
 COURT'S MANIFESTLY EMBARRASSING
 FINDINGS AND ORDERS, WHICH
 ARE BASED ENTIRELY UPON
 "VOID AB INITIO" FOREIGN ORDERS,
 WHICH APPELLANT HAS A DUE
 PROCESS RIGHT TO COLLECTIVELY
 ATTACK IN THE APPEAL.

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WHE APPELLANT UNDER STANDS
 "THIS COURT'S URGENCY WITH THE
 "INSURANCE" APPEALS, THE
 OUTCOME OF WHICH COULD
SIGNIFICANTLY AFFECT THE

DEBTOR REORGANIZATION,
 THIS APPEAL, CAN HAVE NO
 SUCH EFFECT OR IMPACT.

APPELLANT CHALLENGES THE
 "RE-CLASSIFICATION" AND "REDUCTION"
 OF CLAIM # T36, (A SINGLE
 INSIGNIFICANT CLAIM), THE OUTCOME
 OF WHICH COULD HAVE NO
 SIGNIFICANT EFFECT OR IMPACT
 ON THE DEBTOR'S REORGANIZATION.

THIS COURT CAN NOT VIOLATE
 THE APPELLANT'S ~~FUNDAMENTAL~~
MULTIPLE FUNDAMENTAL
 CONSTITUTIONAL ISSUES NOW AT
 STAKE IN THIS APPEAL, BY
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THIS COURT'S OWN, SUA SPONTE,
 EX PARTE, RELIANCE ON "VOID"
 AB INITIO" FOREIGN ORDERS,
 WHICH THE COURT IS ATTEMPTING
 TO USE IN A SUMMARY FASHION
 TO FORECLOSE ON AND
 FOREVER TERMINATE APPELLANT'S
 RIGHTS IN THE APPEALS
 ORIGINALLY DOCKETED AS
 05-574 & 06-178.

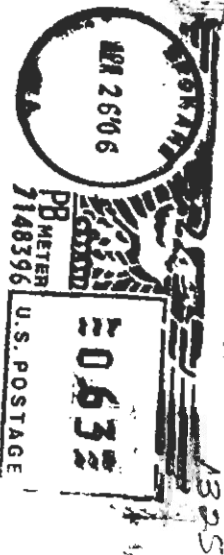
APPELLANT MOVES THE
 COURT FOR AN ORDER SEVERING
 THESE APPEALS FROM THE
 "INSURANCE" APPEALS, AND
 FOR THE GRANTING OF APPELLANT'S
 4/20/06 MOTION(S) FOR TRO/OSC
 & PRELIMINARY INJUNCTION AND
 A 30 DAY EXTENSION OF TIME
 AS TO ALL MATTERS. I DECLARE THE
 FOREGOING TO BE TRUE AND CORRECT
 UNDER THE PENALTY OF PERJURY AND CERTIFY
 THAT THIS MOTION WAS MAILED/FILED ON 4/25/06
 DATED: 4/25/06 PG 7 OF 7 *[Signature]*

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LEGAL MAIL

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CLERK, U.S. DISTRICT COURT
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